



TOWN OF CARVER

Office of Planning & Community Development

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Planning Board Minutes December 8, 2015

Posted in Accordance with the Provisions of M.G.L. Chapter 30A, Section 20B, authorized person Marlene McCollem.

The Carver Planning Board met on December 8, 2015, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, Massachusetts. Mr. Bruce Maki opened the meeting at 7:00pm.

PRESENT: Bruce Maki, Chair; Jim Hoffman, Vice-Chair; William Sinclair, Kevin Robinson

ABSENT: Chad Cavicchi

ALSO PRESENT: Marlene McCollem, Director of Planning and Community Development; Jill Martins, Administrative Assistant; members of the public

Continuation: Public Hearing

MG Lotus, LLC—Special Permit—67 Main St. (Assessors Map 61-1-0)—proposed 6-unit townhouse development in a General Business District (Zoning Bylaw §§2230, 3900, 5300).

Filed with the Town Clerk: October 2, 2015

Last Meeting: December 31, 2015

Deadline: December 22, 2015

Joe Webby, Webby Engineering explained the last meeting with the Board was continued so the Board could do an onsite visit. Revisions were made to the plans as were requested by Fuss & O'Neill. Mr. Maki asked Mrs. McCollem if she had any comments. Mrs. McCollem is confident that it is designed per recommendations and Subdivision Control will not be an issue. Mr. Sinclair stated his only concern is there is no fencing proposed on the northern side and feels additional fencing in this area should be added. Mr. Hoffman and Mr. Robinson share the same feelings. Mr. Maki suggested installing a 6 foot fence along the northern boundary line, basically from property line, 250 additional feet to the end. Angela Chin, Lotus MG, agreed to adding 250 additional feet of fencing.

Mr. Maki opened the Public Hearing at 7:15 pm – No comments

MOTION: by Mr. Sinclair to close Public Hearing

SECOND: by Mr. Robinson

APPROVED: UNANIMOUSLY

Mrs. McCollem advised the Board that she has a draft motion prepared if the Board is comfortable discussing. Mr. Maki read the draft motion. Mr. Sinclair stated fencing and landscape conditions should be added. He also stated that he would like to see the Master Deed specifically in regard to open space added. Mr. Sinclair also commented that the lighting should be limited to the back side of the property and no spotlights which could cause lighting spillage into neighbor's yards. Mrs. McCollem stated she will condition no spotlights, wall fixtures only and not to exceed 60 watts.

MOTION: by Mr. Sinclair to approve the Special Permit with conditions outlined as well as additional ones discussed.

SECOND: by Mr. Hoffman

APPROVED: UNANIMOUSLY

Continuation: Public Hearing

Sheridan Home Builders – Special Permit –3 Braddock Way (Assessors Map 18-18-D) –Proposed residential duplex in a Village District (Zoning Bylaw §2230).

Filed with the Town Clerk: October 27, 2015

Last Meeting: January 12, 2015

Deadline: January 22, 2015

Steve, Webby Engineering, advised Board he made only 1 change to plans. Applicant is in agreement that they will install a sprinkler system. The driveway will be 22' wide and will consist of gravel. If Board approves tonight they will file with Board of Health and then Conservation. Deputy Fire Chief, Eric Germain, was present and discussed comments in memo. Stated all weather surface material is needed for driveway to make it conducive to fire apparatus. Stated the Fire Department is in agreement with the updated plans received from the applicant.

Mr. Maki opened the public hearing at 7:36 pm

Jean Goboni stated her concerns as to why she feels the duplex should not be constructed. Mr. Maki advised her that it still has to go before Board of Health and Conservation

MOTION: by Mr. Hoffman to close Public Hearing

SECOND: by Mr. Sinclair

APPROVED: UNANIMOUSLY

Mrs. McCollem stated she has drafted a decision which Mr. Maki read out loud. She advised the Board that Condition 3 may be deleted if the Board is happy with the change made on the updated plans. Will update Motion to state "dated September 1, 2015 and revised December 8, 2015". Mr. Sinclair suggested revising Condition 3 to state driveway must be maintained and the material of the roadway must be constructed of all-weather material. Board discussed what happens if Conservation does not give relief, what does applicant do. Mrs. McCollem stated if this plan cannot be constructed because of another department the applicant must come back to the Board with another plan for the board's approval.

MOTION: by Mr. Sinclair to approve the Special Permit with conditions discussed.

SECOND: by Mr. Hoffman
APPROVED: UNANIMOUSLY

Discussion

Mrs. McCollem spoke on outlining Storm Water Management and Fire Protection. Mrs. McCollem discussed the rules and regulations and changes that should be made. Board is in agreement. Next step the Board will have to vote to submit to warrant then hold Public Hearings. January 12, 2016 will be deadline to decide if Board wants to submit to warrant.

Other Business

A. Planning Board Member Notes

Mr. Sinclair reminded everyone to vote this Saturday. Stated the next Master Plan meeting is January 21, 2016 at 7pm.

B. Minutes –November 24, 2015

MOTION: by Mr. Sinclair to approve the minutes of November 24, 2015 as written

SECOND: by Mr. Robinson

APPROVED: UNANIMOUSLY

C. Correspondence – NONE

D. Next meeting dates: December 22, 2015

E. Adjournment

The Carver Planning Board meeting was adjourned at 8:19 pm on December 8, 2015

Respectfully submitted,
Jill Martins

Table of Documents

| | |
|-----------|--|
| Exhibit 1 | Meeting Agenda – December 8, 2015 |
| Exhibit 2 | Draft Decision – MG Lotus LLC |
| Exhibit 3 | Draft Decision – Sheridan Home Builder |
| Exhibit 4 | November 24, 2015 Minutes |



TOWN OF CARVER

Office of Planning & Community Development

PUBLIC MEETING NOTICE

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, SECTION 20B

PLANNING BOARD MEETING AGENDA

December 8, 2015

7:00 PM

Carver Town Hall Room #1

Continuation: Public Hearing

MG Lotus, LLC—Special Permit—67 Main St. (Assessors Map 61-1-0)—proposed 6-unit townhouse development in a General Business District (Zoning Bylaw §§2230, 3900, 5300).

Filed with the Town Clerk: October 2, 2015

Last Meeting: December 31, 2015

Deadline: December 22, 2015

Continuation: Public Hearing

Sheridan Home Builders – Special Permit –3 Braddock Way (Assessors Map 18-18-D) –Proposed residential duplex in a Village District (Zoning Bylaw §2230).

Filed with the Town Clerk: October 27, 2015

Last Meeting: January 12, 2015

Deadline: January 22, 2015

Discussion

Proposed Article for April 2016 Town Meeting to include “storm water management” standards and “fire protection distribution system” requirements in the Zoning Bylaws.

Other Business

- A. Planning Board Member Notes
- B. Minutes –November 24, 2015
- C. Correspondence
- D. Next meeting dates: December 22, 2015
- E. Adjournment

RE: Applicant—MG Lotus LLC (#574)
Special Permit & Site Plan Review—Townhouse Development
67 Main Street (Map 61-1)
Title Reference: Book 45500 Page 57

Motion: that the Planning Board vote to approve the Special Permit and Site Plan Review application of MG Lotus, LLC for a six-unit townhouse development and the associated parking, paving, drainage and landscaping at 67 Main Street, as shown on the plans entitled: *"Townhouse Development Plan of Land in Carver, MA, Prepared for MG Lotus, LLC,"* (4 sheets). Prepared by Webby Engineering Associates, Inc., dated September 8, 2015, last revised December 4, 2015, scale 1"=30' with the following findings and conditions:

Findings:

The Planning Board held public hearings for the above referenced plans under Sections 2230 (Use Regulations), 3900 (Townhouse Development), and 5300 (Special Permit) of the Carver Zoning Bylaw on October 27, November 24, and December 8, 2015. The Board finds that the benefits of the proposed use outweighs any detrimental impacts on the Town and the neighborhood, in view of the particular characteristics of the site, pursuant to Sections 3900 and 5300 and the specific criteria found therein.

The Board finds that one unit must be restricted to meet the State's requirements for affordable housing, per Section 3941 of the Zoning Bylaw, and further conditioned below.

The Board finds that the ownership of the open space area shall be restricted per Section 3955 of the Zoning Bylaw, and further conditioned below.

In accordance with Section 3961, the Planning Board finds that the 60-foot buffer provided by the applicant is not adequate to "screen the development from adjacent properties," due to the removal of much of the natural vegetation. Therefore the Board will require additional fencing to be installed along both the northern and southern property lines, per condition #6 below.

Conditions:

1. Prior to the issuance of a Building Permit, a true copy of the recorded decision, as registered at the Plymouth Co. Registry of Deeds shall be submitted to the Board.
2. The plans must be constructed as approved. Any revisions will require approval from the Board as a Modification of this decision.
3. Prior to the issuance of building permits, the applicant shall provide the Board with the resale restrictions governing the affordable unit, as well as provide the name of the selected housing organization responsible for the marketing and homebuyer selection. Upon sale of the affordable unit, the applicant shall provide the Board with a copy of the recorded deed restriction.

4. Prior to the issuance of occupancy permits, the applicant shall submit a plan showing the exact extent of the open space area, as well as copy of the master deed governing the homeowner's association's obligation to restrict the use of said area, as required in Section 3950 of the Zoning Bylaw.
5. A curb opening permit from the Carver DPW is required. All work in the public right-of-way shall be conducted under the direction of the Highways Division.
6. Prior to the issuance of occupancy permits, the proposed fence shown on the above referenced plan shall be installed on the southeastern property line. Additionally, a fence shall be installed on the northwestern property line, running for approximately 240-feet, from the building corner of unit #1 that is nearest to Main Street, to the building corner of unit #3 at the rear of the property.
7. A copy of the section of the Master Deed governing the homeowners association's obligation to maintain the landscaping and fencing shall be delivered to the Planning Board prior to the issuance of a Certificate of Occupancy.
8. No flood, or spot, lights shall be installed on the buildings. Only exterior wall lights, not to exceed 60 watts per fixture, are permitted.
9. The applicant is responsible for the proper operation and maintenance of the site. During construction sedimentation and soil erosion controls shall be installed, repaired, and supplemented as needed. Dust control is required during construction.
10. Any outstanding balance of the Review and Inspection Deposit Account shall be paid prior to the issuance of a Certificate of Occupancy.

Any appeal of this decision must be filed pursuant to MGL Ch. 40A, Section 17, and shall be filed within 20-days of the filing of this decision with the Town Clerk.

RE: Applicant—Sheridan Home Builders (#575)
 Special Permit & Site Plan Review—Duplex
 3 Braddock Way (Map 18-18-D)
 Title Reference: Book 15682 Page 238

MOTION: that the Planning Board vote to approve the Special Permit and Site Plan Review application of Sheridan Home Builders for a duplex located at 3 Braddock Way, as shown on the plans entitled: *"Site Plan of Land in Carver, MA, Prepared for Sherridan Construction,"* prepared by Webby Engineering Associates, Inc., dated September 1, 2015, scale 1"=30' with the following findings and conditions:

Findings:

The Planning Board held public hearings for the above referenced plans under Sections 2230 (Use Regulations), and 5300 (Special Permit) of the Carver Zoning Bylaw on November 24, and December 8, 2015. The Board finds that the benefits of the proposed use outweighs any detrimental impacts on the Town and the neighborhood, in view of the particular characteristics of the site, pursuant to Sections 3900 and 5300 and the specific criteria found therein.

Conditions:

1. Prior to the issuance of a Building Permit, a true copy of the recorded decision, as registered at the Plymouth Co. Registry of Deeds shall be submitted to the Board.
2. The plans must be constructed as approved. Any revisions will require approval from the Board as a Modification of this decision.
3. **DRIVEWAY CONSTRUCTION—WIDTH, TRAVELED SURFACE MATERIAL, ETC.**
4. A curb opening permit from the Carver DPW is required. All work in the public right-of-way shall be conducted under the direction of the Highways Division.
5. The applicant is responsible for the proper operation and maintenance of the site. During construction sedimentation and soil erosion controls shall be installed, repaired, and supplemented as needed. Dust control is required during construction.
6. All work proposed within the jurisdiction of the Conservation Commission shall be separately and appropriately permitted under the Carver Wetlands Regulations.
7. Any outstanding balance of the Review and Inspection Deposit Account shall be paid prior to the issuance of a Certificate of Occupancy.

Any appeal of this decision must be filed pursuant to MGL Ch. 40A, Section 17, and shall be filed within 20-days of the filing of this decision with the Town Clerk.

3160. Performance Standards. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the ~~functional requirements found below of the Planning Board's Subdivision Rules and Regulations.~~ New building construction or other site alteration shall be designed so as to:

3169. Comply with all applicable provisions of this Zoning Bylaw, ~~the Planning Board's Subdivision Rules and Regulations,~~ and other Town Regulations, including but not limited to, Section 3200, General Landscaping Requirements, and Section 3300, Townwide Parking and Loading Requirements.

3170. Storm Drainage.

1. General Approach: A complete storm drainage system shall be laid out and of sufficient size as to permit unimpeded flow of all natural waterways, to provide adequate drainage of all portions of the site, and to prevent adverse impacts due to stormwater discharge from the site.

Stormwater from the site shall be recharged to the maximum extent feasible and as near to the runoff source as practicable. Open drainage systems that provide a high level of infiltration, require little maintenance, and result in a minimum of clearing and grading (such as grasses swales or undisturbed natural areas suitable to absorb stormwater) are generally considered superior to closed drainage systems. A series of multiple smaller drainage systems is preferable to a single larger facility.

2. Design Basis and Method: Drainage systems shall be designed to comply with the following:

a. Where the collection system conveys flows to a detention/retention system designed to control the one hundred (100) year storm, the designer shall document how flows in excess of collection system capacity will be safely directed to the control device.

b. Calculations for the analysis of pre-and post-development peak flows at the property line, and for the design of detention/retention devices shall be developed using the Natural Resource Conservation Service (NRCS) TR-20 methodology.

c. The development of runoff coefficients (e.g. for the Rational Method) and Runoff Curve Numbers (e.g. for TR-55 and TR-20 methodology) for post-development conditions shall be based on the assumption that the contributing watershed will be fully-developed.

d. Separation between infiltration devices and septic systems: A note shall be added to the plan citing use and general location of dry wells, roof leaders and other individual on-site stormwater management systems in order facilitate adequate separation s for septic systems.

f. Discharge onto abutting lots: peak stormwater flows at the boundaries of the development shall not exceed peak flows prior to development measured in the same location, based on the two- (2), ten- (10), twenty-five- (25), and one hundred- (100) year, twenty-four hour design storms.

Stormwater volumes shall be controlled so that there is no increased negative impact on any abutting property. No flow shall be conveyed over public ways, or over land of others except for existing natural flows.

3. Storm drainage structures and appurtenances: The drainage collection system shall be designed to convey projected peak flow rates based upon the twenty-five- (25) year storm utilizing the Rational Method.

3171. Emergency Services.

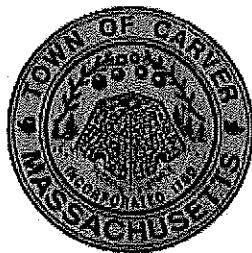
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1. Emergency access roads shall be at least 12-feet wide, constructed of an all-weather surface, and cleared of obstructions to a distance of 4-feet on both sides. Gates, where required, shall be equipped with a standard Carver Fire Department lock.

2. A Fire Protection Distribution System (FPDS) shall be provided when deemed necessary by the Planning Board. The FPDS shall consist of water mains, hydrants, and appurtenances designed in accordance with the specifications adopted by the Carver Fire Department.

3. A water supply conforming to NFPA 1231 shall be established on the plans for firefighting purposes when deemed necessary by the Planning Board.

31720. Approval:



TOWN OF CARVER

Office of Planning & Community Development

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Planning Board Minutes November 24, 2015

Posted in Accordance with the Provisions of M.G.L. Chapter 30A, Section 20B, authorized person Marlene McCollem.

The Carver Planning Board met on October 27, 2015, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, Massachusetts. Mr. Bruce Maki opened the meeting at 7:00pm.

PRESENT: Bruce Maki, Chair; Jim Hoffman, Vice-Chair; William Sinclair, Chad Cavicchi, Kevin Robinson

ALSO PRESENT: Marlene McCollem, Director of Planning and Community Development; Jill Martins, Administrative Assistant; members of the public

Continuation: Public Hearing

MG Lotus, LLC—Special Permit—67 Main St. (Assessors Map 61-1-0)—proposed 6-unit townhouse development in a General Business District (Zoning Bylaw §§2230, 3900, 5300).

Filed with the Town Clerk: October 2, 2015

Last Meeting: December 31, 2015

Deadline: December 22, 2015

Mr. Joe Webby, engineer for MG Lotus, presented the Board with a set of revised plans to replace plans submitted at the previous meeting where Mr. Webby and the applicant were advised that the plans presented did not fall within the zoning bylaws. The plans are for 2 buildings consisting of 3 units each. Mr. Webby presented an architectural drawing of what the outside of the building will look like. Mrs. McCollem presented the board member with a MEMO which was included in the packets. Mr. Sinclair questioned Mr. Webby on question number 2 in regard to the open space area. Mrs. Chin stated that the open space will be deed restricted. The Board discussed the concern from neighbors regarding fencing and will schedule a site visit to deem whether additional fencing should be conditioned. It was stated that 1 unit would have to be restricted to meet the State's requirements for affordable housing. Fuss & Oneill, reviewed plans and emailed their comments to Mrs. McCollem and are attached.

Mr. Sinclair commended the applicant for beginning to clean up the area.

MOTION: by Mr. Sinclair to schedule site visit December 1, 2015 at 4pm

SECOND: by Mr. Hoffman

APPROVED: UNANIMOUSLY

MOTION: by Mr. Hoffman to continue Public Hearing to December 8, 2015 at 7pm
SECOND: by Mr. Cavicchi
APPROVED: UNANIMOUSLY

Public Hearing

Sheridan Home Builders – Special Permit –3 Braddock Way (Assessors Map 18-18-D) –Proposed residential duplex in a Village District (Zoning Bylaw §2230).

Filed with the Town Clerk: October 27, 2015

Last Meeting: January 12, 2015

Deadline: January 22, 2015

Mr. Maki read the hearing notice for the record. Steve of Webby Engineering, requesting a Special Permit to build a duplex in village district. Explained lot created and divided Wing A which allowed for access on Braddock way although official frontage is on Main St. Area contains many wetlands. Applicant is proposing 2 colonial single family houses which would be attached by a garage. Each would have separate septic tanks. The Mr. Maki asked Mrs. McCollem if she had any questions. Mrs. McCollem stated that she had no comments other than the concerns from the Fire Department which are reflected in their memo. She stated if hearing is continued she will speak with the Fire Chief and request he be available at the next mtg. The Applicant has not filed with the Conservation Commission as of yet. Fire Department requested that the driveway be 22' in width and constructed of an all-weather surface. Driveway will be paved with crushed stone – compacted. If conservation approves paving area to 22 feet applicant is willing to meet the conditions. Applicant stated the natural vegetation and trees up to Main St. will be left as buffering. Mr. Sinclair questioned bylaw of 150 feet of frontage? ANR was always endorsed.

Hearing was opened to the public at 7:35 with NO comments

MOTION: by Mr. Sinclair to continue Public Hearing to December 8, 2015 at 7pm
SECOND: by Mr. Hoffman
APPROVED: UNANIMOUSLY

Discussion

Commerce Way Realty Trust—Site Plan Review—6 Commerce Way (Assessors Map 21-2-2)—Proposed 6,000 s. f. industrial building and parking lot (Zoning Bylaw §3100).

Filed with the Town Clerk: November 3, 2015

Last Meeting: December 22, 2015

Deadline: December 31, 2015

Mr. Sinclair excused himself from this discussion as he has done work in the past with

Greg Morse, Morse engineering explained to the Board that the subdivision was permitted in 2006. The lot is already developed with 3 commercial buildings. Applicant is proposing to construct a new building with 8 new parking spots. Applicant stated they received a letter from

Fuss & O'Neill and have responded to the comments today. The plans the applicant is handing out at today's meeting reflect changes per the concerns of F&O with one waiver request.

Applicant also addressed the Memo from Fire Dept. – if sprinklers systems are required applicant is willing to comply

Mrs. McCollem drafted a decision that Mr. Maki read.

MOTION: by Mr. Cavicchi to approve

SECOND: by Mr. Robinson

APPROVED: UNANIMOUSLY – Mr. Sinclair abstention

Because it is not a Special Permit the board can recommend that one board member can be the designated signee for all. James Hoffman to sign.

Discussion

Proposed Article for April 2016 Town Meeting to include "storm water management" standards and "fire protection distribution system" requirements in the Zoning Bylaws.

Mrs. McCollem stated there are no performance standards in bylaws and suggests adding them. She can prepare warrant article for Spring Town Meeting . All members agreed

Other Business

A. Planning Board Member Notes

Mr. Sinclair state the Master Plan meeting will be January 21, 2016 at 7pm at high school. He is encouraging the public, younger generations as well, to get involved in the community. Mr. Maki encourages public to get involved as well....encourages people who do not want to get involved to attend to just listen.

B. Minutes –October 27, 2015

MOTION: by Mr. Sinclair to approve minutes as written

SECOND: by Mr. Cavicchi

APPROVED: UNANIMOUSLY

C. Correspondence

Discussion on letter received from the Dog Mall, Inc. dated November 10, 2015 in regard to Condition number 14 of their permit. Mr. Robinson feels specifying the number of dogs used with trainers for demonstration purposes should be made part of the condition. Total number of dog will be 8 customer dogs excluding dogs used by trainers.

MOTION: by Mr. Sinclair to approve Administrative Change on condition 14

SECOND: by Mr. Robinson
APPROVED: UNANIMOUSLY

Next meeting dates: December 8 & 22, 2015

D. Adjournment

MOTION: by Mr. Sinclair
SECOND: by Mr. Cavicchi
APPROVED: UNANIMOUSLY

The Carver Planning Board meeting was adjourned at 8:07 pm on October 27, 2015

Respectfully submitted,
Jill Martins

Table of Documents

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| Exhibit 1 | Meeting Agenda – November 24, 2015 |
| Exhibit 2 | Memo – Marlene McCollem: MG Lotus |
| Exhibit 3 | Memo – Shawn Martins: MG Lotus |
| Exhibit 4 | Memo – Fire Department – 3 Braddock Way |
| Exhibit 5 | Memo – Brooke Monroe, Conservation – 3 Braddock Way |
| Exhibit 6 | Memo – Shawn Martin – Commerce Way |
| Exhibit 7 | Memo – Fire Department – Commerce Way |
| Exhibit 8 | Morse Engineering, Commerce Way Letter |
| Exhibit 9 | Memo – Shawn Martin – Commerce Way |
| Exhibit 10 | Memo – Robert Tinkham, BOH, Commerce Way |
| Exhibit 11 | Planning Board Minutes October 27, 2015 |
| Exhibit 12 | The Dog Mall Letter |
| Exhibit 13 | Draft letter of conditions, Commerce Way |